

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:19-cv-04028-NRB**

New York Legal Assistance Group v. United States Department
of Veterans Affairs
Assigned to: Judge Naomi Reice Buchwald
Cause: 05:552 Freedom of Information Act

Date Filed: 05/06/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

New York Legal Assistance Group

represented by **Joseph Lawrence Berkman-Breen**
New York Legal Assistance Group
7 Hanover Square
New York, NY 10004
914-806-5485
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TERMINATED: 09/19/2019

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ATTORNEY TO BE NOTICED

V.

Defendant

**United States Department of Veterans
Affairs**

represented by **Casey Kyung-Se Lee**
United States Attorney's Office SDNY
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LEAD ATTORNEY
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Date Filed	#	Docket Text
05/06/2019	<u>1</u>	COMPLAINT against United States Department of Veterans Affairs. (Filing Fee \$ 400.00, Receipt Number ANYSDC-16826778) Document filed by New York Legal Assistance Group. (Tarantolo, Danielle) (Entered: 05/06/2019)
05/06/2019	<u>2</u>	CIVIL COVER SHEET filed. (Tarantolo, Danielle) (Entered: 05/06/2019)
05/06/2019	<u>3</u>	FILING ERROR - DEFICIENT PLEADING - SUMMONS REQUEST PDF ERROR - REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Veterans Affairs, re: <u>1</u> Complaint. Document filed by New York Legal Assistance Group. (Tarantolo, Danielle) Modified on 5/7/2019 (pc). (Entered: 05/06/2019)
05/07/2019		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Danielle Feldman Tarantolo to RE-FILE Document No. <u>3</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): the PDF attached to the docket entry for the issuance of summons is not correct; Use the FIOA summons form not the standard AO 440 summons form. Re-file the document using the event type

		Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (pc) (Entered: 05/07/2019)
05/07/2019		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Naomi Reice Buchwald. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (pc) (Entered: 05/07/2019)
05/07/2019		Magistrate Judge Henry B. Pitman is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (pc) (Entered: 05/07/2019)
05/07/2019		Case Designated ECF. (pc) (Entered: 05/07/2019)
05/07/2019	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Veterans Affairs, re: <u>1</u> Complaint. Document filed by New York Legal Assistance Group. (Tarantolo, Danielle) (Entered: 05/07/2019)
05/08/2019	<u>5</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of Veterans Affairs. (dnh) (Entered: 05/08/2019)
05/10/2019	<u>6</u>	SUMMONS RETURNED EXECUTED (FOIA CASE) Summons and Complaint served. United States Department of Veterans Affairs served on 5/8/2019, answer due 6/7/2019. Service was made by MAIL. Document filed by New York Legal Assistance Group. (Tarantolo, Danielle) (Entered: 05/10/2019)
05/10/2019	<u>7</u>	SUMMONS RETURNED EXECUTED (FOIA CASE) Summons and Complaint served. Service was made by MAIL. Document filed by New York Legal Assistance Group. (Tarantolo, Danielle) (Entered: 05/10/2019)
05/10/2019	<u>8</u>	SUMMONS RETURNED EXECUTED (FOIA CASE) Summons and Complaint served. United States Department of Veterans Affairs served on 5/9/2019, answer due 6/10/2019. Service was accepted by Lisa Ahearn, Civil Clerk Supervisor. Document filed by New York Legal Assistance Group. (Tarantolo, Danielle) (Entered: 05/10/2019)
05/16/2019	<u>9</u>	NOTICE OF APPEARANCE by Casey Kyung–Se Lee on behalf of United States Department of Veterans Affairs. (Lee, Casey) (Entered: 05/16/2019)
06/06/2019	<u>10</u>	LETTER MOTION for Extension of Time <i>to respond to the Complaint</i> addressed to Judge Naomi Reice Buchwald from Casey K. Lee dated June 6, 2019. Document filed by United States Department of Veterans Affairs.(Lee, Casey) (Entered: 06/06/2019)
06/06/2019	<u>11</u>	ORDER granting <u>10</u> LETTER MOTION for Extension of Time to respond to the Complaint addressed to Judge Naomi Reice Buchwald from Casey K. Lee dated June 6, 2019. Document filed by United States Department of Veterans Affairs. Application granted. (Signed by Judge Naomi Reice Buchwald on 6/6/2019) (rjm) (Entered: 06/06/2019)
06/06/2019		Set/Reset Deadlines: United States Department of Veterans Affairs answer due 6/24/2019. (rjm) (Entered: 06/06/2019)
06/24/2019	<u>12</u>	ANSWER to <u>1</u> Complaint. Document filed by United States Department of Veterans Affairs.(Lee, Casey) (Entered: 06/24/2019)
06/25/2019	<u>13</u>	NOTICE OF INITIAL PRETRIAL CONFERENCE: Initial Conference set for 7/18/2019 at 03:30 PM in Courtroom 21A, 500 Pearl Street, New York, NY 10007 before Judge Naomi Reice Buchwald. (Signed by Judge Naomi Reice Buchwald on 6/25/2019) (kv) (Entered: 06/25/2019)
07/16/2019	<u>14</u>	NOTICE OF APPEARANCE by Joseph Lawrence Berkman–Breen on behalf of New York Legal Assistance Group. (Berkman–Breen, Joseph) (Entered: 07/16/2019)

07/17/2019	<u>15</u>	JOINT LETTER MOTION to Adjourn Conference <i>Scheduled for July 18, 2019 at 3:30 p.m.</i> addressed to Judge Naomi Reice Buchwald from Casey K. Lee and Danielle Tarantolo dated July 17, 2019. Document filed by United States Department of Veterans Affairs.(Lee, Casey) (Entered: 07/17/2019)
07/18/2019	<u>16</u>	ORDER granting <u>15</u> Letter Motion to Adjourn Conference. Application Granted. (Signed by Judge Naomi Reice Buchwald on 7/18/2019) (ama) (Entered: 07/18/2019)
08/07/2019	<u>17</u>	LETTER addressed to Judge Naomi Reice Buchwald from Joseph Berkman–Breen dated August 7, 2019 re: Joint status update. Document filed by New York Legal Assistance Group.(Berkman–Breen, Joseph) (Entered: 08/07/2019)
08/30/2019	<u>18</u>	JOINT LETTER addressed to Judge Naomi Reice Buchwald from Counsel for the parties dated August 30, 2019 re: Status Update. Document filed by United States Department of Veterans Affairs.(Lee, Casey) (Entered: 08/30/2019)
09/03/2019	<u>19</u>	MEMO ENDORSEMENT: on re: <u>18</u> Letter filed by United States Department of Veterans Affairs. ENDORSEMENT: Application Granted. (Signed by Judge Naomi Reice Buchwald on 9/03/2019) (ama) (Entered: 09/05/2019)
09/12/2019	<u>20</u>	LETTER MOTION for Extension of Time addressed to Judge Naomi Reice Buchwald from Casey K. Lee dated September 12, 2019. Document filed by United States Department of Veterans Affairs.(Lee, Casey) (Entered: 09/12/2019)
09/16/2019	<u>21</u>	ORDER: granting <u>20</u> Letter Motion for Extension of Time. SO ORDERED. (Signed by Judge Naomi Reice Buchwald on 9/16/2019) (ama) (Entered: 09/16/2019)
09/18/2019	<u>22</u>	MOTION for Joseph Berkman–Breen to Withdraw as Attorney . Document filed by New York Legal Assistance Group.(Berkman–Breen, Joseph) (Entered: 09/18/2019)
09/19/2019	<u>23</u>	MEMO ENDORSEMENT on <u>22</u> granting Motion to Withdraw as Attorney. ENDORSEMENT: Application Granted. Attorney Joseph Lawrence Berkman–Breen terminated. (Signed by Judge Naomi Reice Buchwald on 9/19/2019) (ama) (Entered: 09/20/2019)
09/27/2019	<u>24</u>	PROPOSED STIPULATION AND ORDER. Document filed by United States Department of Veterans Affairs. (Lee, Casey) (Entered: 09/27/2019)